

AMENDED IN SENATE JULY 2, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 123

Introduced by Assembly Members Cohn and Chavez

January 15, 2003

An act to amend *Sections 1800 and 1805 of the Business and Professions Code*, and to amend Section 13401.5 of the Corporations Code, relating to professional corporations.

LEGISLATIVE COUNSEL'S DIGEST

AB 123, as amended, Cohn. Professional corporations: dentists.

Existing law ~~regulating professional corporations, including medical corporations, provides that certain licensed persons may be shareholders, officers, directors, or professional employees of these corporations, subject to certain limitations~~ *authorizes dentists to practice dentistry as part of a professional corporation. Existing law, with respect to various other healing arts professions, authorizes certain licensed persons other than those licensed to practice in a particular profession to be shareholders, officers, directors, or professional employees of a professional corporation, subject to certain limitations.*

This bill would ~~add licensed dentists to the list of licensed persons who provide that physicians and surgeons, dental assistants, registered dental assistants, registered dental assistants in extended functions, registered dental hygienists, registered dental hygienists in extended functions, or registered dental hygienists in alternative practice may be shareholders, officers, directors, or professional employees of medical dental corporations.~~

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. *Section 1800 of the Business and Professions*
2 *Code is amended to read:*

3 1800. A dental corporation is a corporation that is authorized
4 to render professional services, as defined in ~~Section~~ Sections
5 13401 and 13401.5 of the Corporations Code, if that corporation,
6 its shareholders, officers, directors, and employees rendering
7 professional services who are dentists, *physicians and surgeons,*
8 *dental assistants, registered dental assistants, registered dental*
9 *assistants in extended functions, registered dental hygienists,*
10 *registered dental hygienists in extended functions, or registered*
11 *dental hygienists in alternative practice* are in compliance with the
12 Moscone-Knox Professional Corporation Act (Part 4
13 (commencing with Section 13400) of Division 3 of Title 1 of the
14 Corporations Code), this article, and other statutes, rules, and
15 regulations applicable to a dental corporation and the conduct of
16 its affairs. Subject to all applicable statutes, rules, and regulations,
17 a dental corporation is entitled to practice dentistry. With respect
18 to a dental corporation, the governmental agency referred to in the
19 Moscone-Knox Professional Corporation Act is the ~~Board of~~
20 Dental ~~Examiners~~ *Board of California.*

21 SEC. 2. *Section 1805 of the Business and Professions Code is*
22 *amended to read:*

23 1805. Except as provided in ~~Section~~ Sections 13401.5 and
24 13403 of the Corporations Code, each director, shareholder, and
25 officer of a dental corporation shall be a licensed person as defined
26 in the Moscone-Knox Professional Corporation Act.

27 SEC. 3. Section 13401.5 of the Corporations Code is amended
28 to read:

29 13401.5. Notwithstanding subdivision (d) of Section 13401
30 and any other provision of law, the following licensed persons may
31 be shareholders, officers, directors, or professional employees of
32 the professional corporations designated in this section so long as
33 the sum of all shares owned by those licensed persons does not
34 exceed 49 percent of the total number of shares of the professional
35 corporation so designated herein, and so long as the number of

1 those licensed persons owning shares in the professional
2 corporation so designated herein does not exceed the number of
3 persons licensed by the governmental agency regulating the
4 designated professional corporation:

5 (a) Medical corporation.

6 (1) Licensed doctors of podiatric medicine.

7 (2) Licensed psychologists.

8 (3) Registered nurses.

9 (4) Licensed optometrists.

10 (5) Licensed marriage and family therapists.

11 (6) Licensed clinical social workers.

12 (7) Licensed physician assistants.

13 (8) Licensed chiropractors.

14 (9) Licensed acupuncturists.

15 ~~(10) Licensed dentists.~~

16 (b) Podiatric medical corporation.

17 (1) Licensed physicians and surgeons.

18 (2) Licensed psychologists.

19 (3) Registered nurses.

20 (4) Licensed optometrists.

21 (5) Licensed chiropractors.

22 (6) Licensed acupuncturists.

23 (c) Psychological corporation.

24 (1) Licensed physicians and surgeons.

25 (2) Licensed doctors of podiatric medicine.

26 (3) Registered nurses.

27 (4) Licensed optometrists.

28 (5) Licensed marriage and family therapists.

29 (6) Licensed clinical social workers.

30 (7) Licensed chiropractors.

31 (8) Licensed acupuncturists.

32 (d) Speech-language pathology corporation.

33 (1) Licensed audiologists.

34 (e) Audiology corporation.

35 (1) Licensed speech-language pathologists.

36 (f) Nursing corporation.

37 (1) Licensed physicians and surgeons.

38 (2) Licensed doctors of podiatric medicine.

39 (3) Licensed psychologists.

40 (4) Licensed optometrists.

- 1 (5) Licensed marriage and family therapists.
- 2 (6) Licensed clinical social workers.
- 3 (7) Licensed physician assistants.
- 4 (8) Licensed chiropractors.
- 5 (9) Licensed acupuncturists.
- 6 (g) Marriage and family therapy corporation.
- 7 (1) Licensed physicians and surgeons.
- 8 (2) Licensed psychologists.
- 9 (3) Licensed clinical social workers.
- 10 (4) Registered nurses.
- 11 (5) Licensed chiropractors.
- 12 (6) Licensed acupuncturists.
- 13 (h) Licensed clinical social worker corporation.
- 14 (1) Licensed physicians and surgeons.
- 15 (2) Licensed psychologists.
- 16 (3) Licensed marriage and family therapists.
- 17 (4) Registered nurses.
- 18 (5) Licensed chiropractors.
- 19 (6) Licensed acupuncturists.
- 20 (i) Physician assistants corporation.
- 21 (1) Licensed physicians and surgeons.
- 22 (2) Registered nurses.
- 23 (3) Licensed acupuncturists.
- 24 (j) Optometric corporation.
- 25 (1) Licensed physicians and surgeons.
- 26 (2) Licensed doctors of podiatric medicine.
- 27 (3) Licensed psychologists.
- 28 (4) Registered nurses.
- 29 (5) Licensed chiropractors.
- 30 (6) Licensed acupuncturists.
- 31 (k) Chiropractic corporation.
- 32 (1) Licensed physicians and surgeons.
- 33 (2) Licensed doctors of podiatric medicine.
- 34 (3) Licensed psychologists.
- 35 (4) Registered nurses.
- 36 (5) Licensed optometrists.
- 37 (6) Licensed marriage and family therapists.
- 38 (7) Licensed clinical social workers.
- 39 (8) Licensed acupuncturists.
- 40 (l) Acupuncture corporation.



- 1 (1) Licensed physicians and surgeons.
- 2 (2) Licensed doctors of podiatric medicine.
- 3 (3) Licensed psychologists.
- 4 (4) Registered nurses.
- 5 (5) Licensed optometrists.
- 6 (6) Licensed marriage and family therapists.
- 7 (7) Licensed clinical social workers.
- 8 (8) Licensed physician assistants.
- 9 (9) Licensed chiropractors.
- 10 (m) *Dental corporation.*
- 11 (1) *Licensed physicians and surgeons.*
- 12 (2) *Dental assistants.*
- 13 (3) *Registered dental assistants.*
- 14 (4) *Registered dental assistants in extended functions.*
- 15 (5) *Registered dental hygienists.*
- 16 (6) *Registered dental hygienists in extended functions.*
- 17 (7) *Registered dental hygienists in alternative practice.*

